

FILED  
U.S. DIST. COURT  
BRUNSWICK DIV.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

2005 OCT -1 P 3:20

CLERK *J. Salvatore*  
S. DIST. OF GA.

SEAN M. LIVINGSTON,

Plaintiff,

vs.

CIVIL ACTION NO.: CV505-025

WILLIAM FAIN; RODNEY SELLERS;  
DARRYL POWELL; CHRISTOPHER  
JONES, and CASSIUS JOHNSON,

Defendants.

ORDER

In compliance with this Court's prior Order granting Plaintiff leave to proceed without prepayment of fees, Plaintiff has furnished a certified copy of his trust fund account statement and has consented to the collection in installments of the \$250.00 filing fee and any costs assessed by the Court from his prison trust account. Based on the information furnished by the Plaintiff, the Court has assessed an initial partial filing fee in the amount of \$15.67.

IT IS THEREFORE ORDERED that Plaintiff's current custodian (or his designee) shall deduct the initial partial filing fee of \$15.67 from Plaintiff's prison trust account and forward this amount to the Clerk, U.S. District Court, P.O. Box 8286, Savannah, GA 31412, as the first installment of the filing fee. If the Plaintiff does not have sufficient funds in his account to pay the initial partial filing fee, the appropriate prison official shall forward all available funds and carry the balance forward each month until the initial partial filing

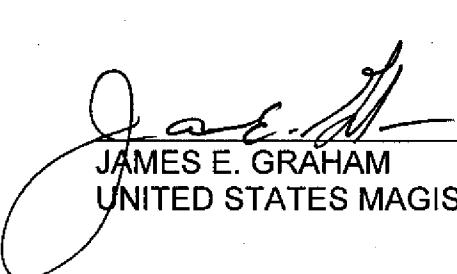
fee is paid in full. The Plaintiff shall not be permitted to withdraw funds from his prison account until this initial fee has been paid.

IT IS FURTHER ORDERED that after the initial partial filing fee has been paid, Plaintiff's custodian (or his designee) shall set aside 20 percent of the preceding month's deposits to Plaintiff's trust fund account and forward those funds to the Clerk each time the set aside amount exceeds \$10.00, until the balance of \$250.00 filing fee has been paid in full.

IT IS FURTHER ORDERED that all payments shall be designated as made in payment of the filing fee for this Civil Action case number. In the event Plaintiff is transferred to another institution, Plaintiff's present custodian shall forward a copy of this Order and all financial information concerning payment of the filing fee and costs in this case to Plaintiff's new custodian. The balance due from the Plaintiff shall be collected by the custodian at his next institution in accordance with the terms of this Order.

A copy of this Order and a copy of the **Consent to Collection of Fees From Trust Account** shall be served upon the parties and Plaintiff's current custodian.

SO ORDERED, this 7<sup>th</sup> day of October, 2005.

  
JAMES E. GRAHAM  
UNITED STATES MAGISTRATE JUDGE